

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DELANEY BARNES,

No. C 08-3769 SI (pr)

Plaintiff,

ORDER OF TRANSFER

v.


BOARD OF PRISON
TERMS/HEARINGS,

Defendant.

Delaney Barnes filed this civil rights action under 42 U.S.C. § 1983, complaining of acts and omissions that occurred at the Deuel Vocational Institute in Tracy, California. Tracy is in San Joaquin County, within the venue of the Eastern District of California. The defendant apparently resides in the Eastern District of California. Venue therefore properly lies in that district and not in this one. See 28 U.S.C. § 1391(b). Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California. The clerk shall transfer this matter.

IT IS SO ORDERED.

Dated: August 25, 2008


SUSAN ILLSTON
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DELANEY BARNES,
Plaintiff,

Case Number: CV08-03769 SI

CERTIFICATE OF SERVICE

v.

BOARD OF PRISON et al,
Defendant.

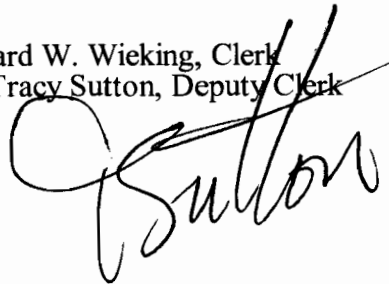
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 25, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Delaney Barnes F-88879
Deuel Vocational Institution
P.O. Box 600
Tracy, CA 95378-0600

Dated: August 25, 2008

Richard W. Wieking, Clerk
By: Tracy Sutton, Deputy Clerk

A handwritten signature in black ink, appearing to read "Sutton", is written over the printed name of the Deputy Clerk.